

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:22-MD-03036-KDB**

**IN RE: GARDASIL PRODUCTS
LIABILITY LITIGATION**

MDL No. 3036

**THIS DOCUMENT RELATES TO
ALL BELLWETHER CASES**

**Mary Ellouise Bond (3:23-cv-00058)
Lakia Brayboy (3:22-cv-00509)
Maeson Derr (3:22-cv-00381)
Logan T. Dunn (3:23-cv-00129)
Savannah Flores (3:22-cv-00397)
Kameron Hilton (5:22-cv-00030)
Cooper Humphries (3:22-cv-00395)
Chaunna M. Lane (3:23-cv-00116)
Kristen Linton (3:23-cv-00125)
Madelyn Lipscomb (3:22-cv-00396)
Madelyn Malloy (3:22-cv-00407)
Corinn McElerney (3:22-cv-00382)
Jaden I. McTighe (3:23-cv-00130)
Megan Marie Roeder (3:22-cv-00431)
Nalon A. Soileau (3:22-cv-00399)
Sonja Wagner (3:22-cv-00362)**

PLAINTIFFS' NOTICE OF APPEAL

Notice is hereby given that the Bellwether Plaintiffs hereby appeal to the United States Court of Appeals for the Fourth Circuit from the final judgment entered by the United States District Court, Western District of North Carolina, Charlotte Division, on April 10, 2025 (Doc No. 310) and the following decisions subsumed in that judgment:

1. The February 20, 2025 Order (Doc. No. 286) partially granting and denying Defendants' Merck & Co., Inc. and Merck Sharpe & Dohme LLC's Motion to Exclude Expert Report and Testimony of Dr. Stephen Amato (Doc. No. 185); and
2. The March 11, 2025 Order (Doc. No. 305) granting Defendants' Motion for Summary Judgement Based on Implied Preemption (Doc. No. 188).
3. The June 27, 2024 Order (Doc. No. 156) denying Plaintiffs' Motion to Limit Application of the Court's Order on Defendant's Motion for Partial Judgment on the Pleadings to Plaintiffs Bergin¹ and America² and Motion to Find that Subjecting Gardasil Personal Injury Claims to the Vaccine Act Violates the Presentment Clause of the United States Constitution (Doc. No. 136).
4. The March 20, 2024 Order (Doc. No. 132) granting in part and denying in part Defendants' Motion for Partial Judgment on the Pleadings (Doc. No. 68).
5. All prior adverse orders of the District Court which have now merged into the judgment entered on March 11, 2025 in Plaintiffs' Case.

Dated: April 10, 2025

Respectfully submitted,

/s/ Paul J. Pennock
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¹ Bergin v. Merck & Co., Inc., et al. CASE NO.3:22-CV-00117

² America v. Merck & Co., Inc., et al. CASE NO.3:22-CV-00585

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CERTIFICATE OF SERVICE

A copy of this filing was served on all counsel of record through this Court's electronic filing system.

/s/ Paul J. Pennock
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